

# BOARD OF ADJUSTMENT

-Rye, New Hampshire-

## NOTICE OF DECISION

**Applicant/ Owner:** Seacoast Property Holdings, LLC of 3710 Buckeye Street, Palm Beach Gardens, FL

**Property:** 55 Harbor Rd, Tax Map 9.2, Lot 2  
Property is in the Single Residence, Coastal Overlay and SFHA

**Application case:** Case # 15-2019

**Date of decision:** April 3, 2019

**Decision:** The Board voted 5-0 to grant variances from the following sections of the Zoning Ordinance:

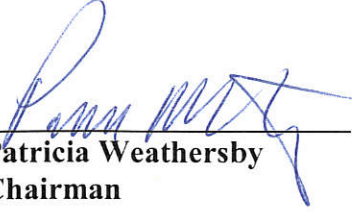
- Section 603.2 for demolition and replacement of a non-conforming structure;
- Section 202.5 for Septic 10.2' from the side boundary;
- Section 203.3 B for a walkway 7' from the left side boundary;
- Section 20.3 B for a generator 10' from the right side boundary;
- Section 301.8 B (1)(2) & (7) for a house 50', a leachfield 72' and a septic tank 96' within the 100' buffer;
- Section 304.4 for a building height of 30.9'

The Board voted 5-0 to grant the variances from the following sections of the Zoning Ordinance:

- Section 7.9.2.2 for septic leachfield 72' within the 75' buffer; and
- Section 7.9.2.5 for septic tank 10.2' within the side boundary.

The Variances and Building Code relief were granted upon continued compliance with the following condition:

- (1) That native plantings be installed and maintained that meet or exceed NHDES requirements and address the concerns of the Rye Conservation Commission as set forth in its letter dated March 18, 2019.

  
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**Patricia Weathersby**  
**Chairman**

**Note:** This decision is subject to motions for rehearing which may be filed within 30 days of the above date of decision by any person directly affected by it including any party to the action, abutters and the Rye Board of Selectmen; see Article VII, Section 703 of the Town of Rye Zoning Ordinance. Any work commenced prior to the expiration of the 30 day rehearing / appeal period is done so at the risk of the applicant. If a rehearing is requested, a cease and desist order may be issued until the Board of Adjustment has had an opportunity to act on the rehearing request.